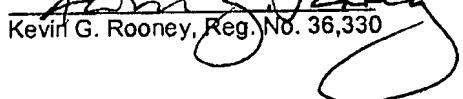


CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence for Application No. 09/557,562 is being transmitted via facsimile to
Mail Stop Petition (Fax No. 571-273-6500) on August 25, 2008


Kevin G. Rooney, Reg. No. 36,330August 25, 2008

Date

RECEIVED

AUG 28 2008

OFFICE OF PETITIONS**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Paul A. Spence
Patent No.: 6,530,876
Issued: March 11, 2003
Serial No. 09/557,562
Filed: April 25, 2000
Confirmation No.: 7770
Title: SUPPLEMENTAL HEART PUMP METHODS AND SYSTEMS
FOR SUPPLEMENTING BLOOD THROUGH THE HEART
Attorney Docket No.: CIRC-29

Cincinnati, Ohio

August 25, 2008

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATUS INQUIRY

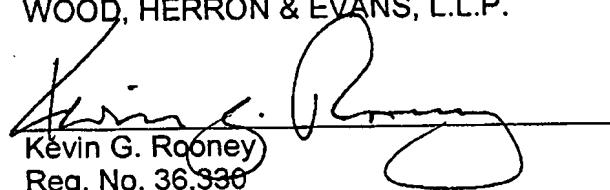
Sir:

In checking our files, we find that we have not received a decision in the above-referenced patent regarding the filing of the Petition to Accept Unintentionally Delayed Payment of Maintenance Fee in an Expired Patent filed February 14, 2008. We are concerned with the possibility that a communication was issued and possibly misplaced or lost in the mail. Kindly check your files and let us know the status of this case. If a decision has issued, we would appreciate it very much if you would send us a copy, or advise when we can expect to receive a decision on the petition.

Applicant does not believe that any fees are due in connection with this submission. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.



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